

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LARRY YOUNG,

Petitioner,

vs.

BRAD HANSEN,

Respondent.

8:18CV372

**MEMORANDUM
AND ORDER**

On January 2, 2019, the court advised Petitioner that it would construe his “Request for Relief From Judgment Under Rule 60(b)(3)(4)(6) and (d)(1) and (2)” ([filing no. 1](#)) as a petition for writ of habeas corpus under 28 U.S.C. § 2254 if he did not voluntarily withdraw his petition within 30 days and directed Petitioner to file an amended petition for writ of habeas corpus if he decided to allow this action to proceed as one brought pursuant to 28 U.S.C. § 2254. ([Filing No. 11.](#)) Furthermore, the court advised Petitioner that if he failed to respond to the court’s January 2, 2019 Memorandum and Order or file an amended petition within 30 days, then this matter would be dismissed without prejudice and without further notice. To date, Petitioner has not filed an amended petition or taken any other action in this matter.

IT IS THEREFORE ORDERED that the Petition for Writ of Habeas Corpus ([filing no. 1](#)) is denied and dismissed without prejudice. No certificate of appealability has been or will be issued. A separate judgment will be entered.

Dated this 14th day of February, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge